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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,069	07/10/2001	Kyung Wook Kim	1525-0114P	7091
2292 7590 08/06/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER JONES, HEATHER RAE				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 08/06/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

# Office Action Summary

**Application No.**

09/901,069

**Applicant(s)**

KIM, KYUNG WOOK

**Examiner**

HEATHER R. JONES

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No./Mail Date: \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Shibuya et al. (U.S. Patent 6,747,364).

Regarding claim 1, Shibuya et al. discloses an apparatus for controlling inclined angle of an AV front panel for automobile by means for converting

driving force of the a motor into linear movement, comprising: means for inclining the front panel without a separate trajectory for inclining of the front panel (Fig. 5 – reference character “29”); means for transmitting rotating force of a motor to the inclining means for the sake of inclination of the front panel (Fig. 5 – reference character “29a”); and means for opening and closing the front panel as a result of the action of the inclining means, the transmitting means and the converting means (Fig. 5; abstract).

Regarding claim 2, Shibuya et al. discloses all the limitations as previously discussed with respect to claim 1, including that the rotating force transmitting means comprises: a motor (29) for opening and closing the front panel, said motor (29) being capable of rotating in opposite directions and having a worm (29a) fixed at a shaft thereof; a worm gear (28b) engaged with the worm (29a) and having a concentric sub-gear (Fig. 5 - see concentric sub-gear with respect to 28b) integrally formed thereat; and a gear (28a) engaged with the worm gear (28b).

Regarding claim 3, Shibuya et al. discloses all the limitations as previously discussed with respect to claim 1, including that the rotating means (29) comprises a sector gear (24) engaged with the gear (28b) of the rotating force transmitting means (29) and having a protrusion at its side (Fig. 5 - see protrusion with respect to 24).

Regarding claim 4, Shibuya et al. discloses all the limitations as previously discussed with respect to claim 1, including that the opening and closing means

comprises: an arm link (34) having a guide hole (23d) and a long hole (23d), the long hole receiving a shaft of the gear of the rotating force transmitting means therein such that the arm link (34) is rotatable about the shaft (32) and slidable on the shaft (32), the guide hole (23d) having an opening, the arm link (34) also having at its outer end a pin hingedly connected to an upper part of the front panel; and an upright guide (27) having an opening at its lower end such that the pin of the arm link enters the opening and slides along the upright guide (see Fig. 5).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Utsugi (U.S. Patent 5,177,730) discloses an apparatus for controlling an AV front panel comprising a motor, worm, worm gear, and a pulley system (Fig. 7).
  - b. Noguchi (U.S. Patent 5,982,637) discloses an apparatus for controlling an AV front panel comprising a motor, worm, worm gear, and concentric sub-gears (Fig. 2).
  - c. Kim (U.S. Patent 5,762,412) discloses an apparatus for controlling an AV front panel comprising a motor, worm, worm gear, concentric sub-gears, and an arm along with guide holes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2623

Heather R Jones  
Examiner  
Art Unit 2621

HRJ